

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

AUBREY CLARK AND WIFE,  
KELLY CLARK  
*Plaintiffs*

vs.

KELLOGG BROWN & ROOT, LLC, et al  
*Defendants*

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CIVIL ACTION NO. 2:07-CV-191  
(Judge T. John Ward)  
(Judge C. Everingham)

**DEFENDANTS KELLOGG BROWN & ROOT, LLC; BROWN & ROOT, INC.;**  
**AND KBR, INC.'S INITIAL DISCLOSURES**

COME NOW Defendant KELLOGG BROWN & ROOT, LLC; BROWN & ROOT, INC. n/k/a KELLOGG BROWN & ROOT, LLC; KBR, INC. d/b/a KELLOGG BROWN & ROOT, INC (collectively referred to as Defendants), and, pursuant to Rule 26 of the Federal Rules of Civil Procedure, file the attached initial disclosures.

Respectfully submitted,

By: \_\_\_\_\_/s/\_\_\_\_\_

M.C. Carrington  
Attorney in Charge  
Texas State Bar No. 03880800  
James G. Martingano  
Texas State Bar No. 00791194  
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Defendants KELLOGG BROWN & ROOT, LLC;  
BROWN & ROOT, INC. n/k/a KELLOGG  
BROWN & ROOT, LLC; KBR, INC. d/b/a  
KELLOGG BROWN & ROOT, INC.

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that a true and correct copy of the foregoing Response was served via CM/ECF for the Eastern District of Texas, this 19th day of October, 2007.

\_\_\_\_\_/s/\_\_\_\_\_  
James G. Martingano

**Rule 26(a)(1) Initial Disclosures**

- A. The name and, if known, the address and telephone number of each individual likely to have discoverable information that the disclosing party may use to support its claims or defenses, unless solely for impeachment, identifying the subjects of the information.

**1. John Hodges**

**Rt. 4, Box 142B**

**Alvin, TX 77511**

**Mr. Hodges has knowledge of Defendants' safety programs. Mr. Hodges has already been deposed in this case and further information about his knowledge can be found in his deposition transcript.**

**2. Carl D. Richardson**

**HB Zachary**

**San Antonio, Texas**

**Mr. Richardson has knowledge regarding Defendants' industrial hygiene program. Mr. Richardson has already been deposed in this case and further information about his knowledge can be found in his deposition transcript.**

**3. Floyd Mills**

**6910 North Oak Bend**

**Alvin, TX 77511**

**Retired KBR employee with knowledge of Mr. Clark's work history. The witness can be contacted through defense counsel.**

**4. Wade W. Frazier, Retired**

**Rt. 1 Box 97B**

**Kosse, Texas 76653**

**817-375-2463 home**

**Mr. Frazier is a former general manager of Green's Bayou Marine Operations.**

**5. Lloyd Paige**

**15927 Dunes**

**Crosby, Texas 77532**

**281-328-4723**

**Mr. Paige is a former Brown & Root warehouse manager with knowledge of products and practices.**

**6. Roberto Medina**

**14623 Myersville Dr.**

**Houston, Texas 77049**

**281-458-2442**

**Mr. Medina has knowledge regarding safety at Green's Bayou Marine Operations.**

- 7. Lindy Poole, Retired  
108 Old New Hope Rd.  
Foxsworth, Mississippi 39483  
Mr. Poole is a former barge superintendent.**
- 8. Steven Ohm  
3605 Matty Mae  
Pasadena, Texas  
713-477-7816 home  
Mr. Ohm has knowledge regarding safety at Green's Bayou Marine Operations.**
- 9. Ronald Christesson  
18420 Bluffview Dr.  
Crosby, Texas 77532  
281-328-5378  
Mr. Christesson is a former safety manager at Greens Bayou Marine Yard and may have knowledge regarding products and work practices.**
- 10. Adolph Kolb  
480 E. State Hwy 294  
Elkhart, Texas 75839  
903-764-5805  
Mr. Kolb is a former operations manager for Green's Bayou Marine Yard.**
- 11. Danny Richard  
6924 Foxmont  
Humble, Texas 77338  
281-446-4476  
Mr. Richard is a former Brown & Root barge worker with knowledge of products and work practices.**
- 12. Bill Jones  
Texas Refinery Corp.  
One Refinery Place  
Ft. Worth, Texas 76101  
Mr. Jones has knowledge about the manufacture and ingredients of the cleaning product known as Rig-wash.**
- 13. Dr. Debra Thomas – Oncology  
Maria Cabinallas – Internal Medicine  
MD Anderson  
1515 Holcombe Blvd.**

**Houston, Texas 77030**

**Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

**14. Dr. Patish Desai**

**Palestine Cancer Center**

**3415 S. Loop 256**

**Palestine, Texas 75801**

**Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

**15. Dr. Coe**

**Internal Medicine Associates**

**Palestine, Texas**

**Plaintiff Aubrey Clark's treating physician identified by Plaintiffs.**

**Any other medical care provider identified by Plaintiffs.**

**Additionally, all additional staff, employees, medical providers, servants, agents, custodian of medical records, custodians of billing records and representatives of the physicians and entities listed above.**

- B. A copy of, or a description by category and location of, all documents, electronically stored information, and tangible things that are in the possession, custody, or control of the party and that the disclosing party may use to support its claims or defenses unless solely for impeachment.

**Depositions of Defendant's Corporate Representatives and former employees taken in this and/or in previous litigation including, but not limited to, transcripts of the depositions of Carl Richardson, John Hodges, Wade Frazier, Ethan Natelson, Shanna Collie, Kenneth Mundt, and Robert Schumacher. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.**

**Plaintiff Aubrey Clark's medical and patient account records made available through medical authorization. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.**

**Plaintiff Aubrey Clark's personnel, payroll and/or work-related documents. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.**

**Plaintiff Aubrey Clark's social security and income tax records. These documents should already be in possession of counsel for Plaintiffs, but, if necessary,**

such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.

**Documents previously produced to Plaintiffs - Bates Labeled CLARK00001 through CLARK04938. These documents include Brown & Root Employment Records for Plaintiff Aubrey Clark, Correspondence Files, a Kellogg Brown & Root Annual Report, Brown & Root Manuals, Rate Schedules, Memos, Written Procedures, Photographs and Litigation Documents. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.**

**Material Safety Data Sheets for RIG-WASH® and TRU-LI-FINE RIG-WASH® previously produced to counsel for Plaintiffs. These documents should already be in possession of counsel for Plaintiffs, but, if necessary, such documents will be made available again at a mutually agreeable time at the offices of MehaffyWeber, PC upon request.**

**Defendants will supplement these disclosures in accordance with the Federal Rules of Civil Procedure.**

- C. A computation of any category of damages claimed by the disclosing party, making available for inspection and copying as under Rule 34 the documents or other evidentiary material, not privileged or protected from disclosure, on which such computation is based, including materials bearing on the nature and extent of injuries suffered.

**Not applicable.**

- D. For inspection and copying as under Rule 34, any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in the action or to indemnify or reimburse for payment made to satisfy the judgment:

**Defendants have no currently effective insurance agreements applicable to this case.**